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FISCAL IMPACT STATEMENT

LS 6823

BILL NUMBER: SB 519

NOTE PREPARED: Apr 3, 2003

BILL AMENDED: Apr 2, 2003

SUBJECT: Sex Offender Registry.

FIRST AUTHOR: Sen. Long

FIRST SPONSOR: Rep. Herrell

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X GENERAL
DEDICATED
X FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill provides that a person who is found to be a sexually violent predator is required to register for life.

Effective Date: July 1, 2003.

Explanation of State Expenditures: *Background:* Current law makes a distinction in the length of time that sex offenders are required to register on the Indiana Sexual and Violent Offender Registry.

An offender is required to register for life by state law if

- The offender is older than 18 and the victim was younger than 12 years of age;
- The offender committed at least one sex and violent offense in which the offender proximately caused serious bodily injury or death, used force or the threat of force or rendered the victim unconscious or incapable of giving voluntary consent.
- The offender is convicted of having committed at least two unrelated sex and violent offenses.

In all other cases involving sex crimes, a court shall determine at the time of sentencing whether the offender is a sexually violent predator. If the person is determined to be a sexually violent predator, the offender is required to register with the local sheriff as a sexual predator. After ten years, the offender may petition the sentencing court to declare the offender to no longer be a sexual predator.

Under this bill, offenders who are determined by a sentencing court to be sexually violent predators would be required to register for a lifetime as well.

This bill would likely not require added staff at the Criminal Justice Institute (CJI). Staff at CJI estimate that there are fewer than 50 sexually violent predators in the data base.

Explanation of State Revenues: *Continuation of Federal Funding:* This bill would allow Indiana to comply with current federal standards that require lifetime registration for violent sexual offenders. Full compliance with federal law would ensure that Indiana continues to receive an estimated \$1 M each year. Since juvenile offenders sentenced as adults for sex crimes would be required to register for life, Indiana would be in full compliance. The federal grant money is passed on to state and local agencies to assist in funding programs that reduce crime and substance abuse.

Background: Indiana currently receives between \$10 M and \$12 M from this grant program (Byrne Grant) each year. States that do not meet the sex offender registration requirements forfeit 10% of their awards each year they are out of compliance. In Indiana the CJI administers the money and distributes it in grants to state and local agencies for crime control, drug interdiction and treatment, and technology development.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Criminal Justice Institute.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction; Catherine O'Connor, Criminal Justice Institute.

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